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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,065	06/06/2001	Liana Liyow Fong	YOR920010256US1	5652

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EXAMINER

SHAH, NILESH R

ART UNIT PAPER NUMBER

2195

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/874,065

**Applicant(s)**

FONG ET AL.

**Examiner**

Nilesh Shah

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-17 are presented for examination.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - a. A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dolin Jr. et al (6,353,861) (hereinafter Dolin) and further in view of Molloy (6,105,147).
4. As per claim 1, Dolin teaches a method for performing event-driven computations on individual phases in a plan, comprising the steps of:  
providing cooperating source phases for performing computations, where each of the cooperating source phases include an associated program for performing the computations (col. 57 lines 38-67; col. 18 lines 20-26; col. 18 lines 50-59; col. 4 lines 21-33; col. 21 lines 45-48, col. 22 lines 33-44);

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creating at least one target phase from at least one of the cooperating source phases, the at least one target phase performing target phase computations (col. 4 lines 39-50; col. 57 lines 40-55, col. 21 lines 45-48, col. 22 lines 33-44); initiating an asynchronous transaction for specific and separate phases of the at least one target phase or the cooperating source phases with a remote agent or another phase such that events can be directed to the specific and separate phases (col. 57 lines 40-55, col. 21 lines 45-48, col. 22 lines 33-44).

5. Dolin does not specifically teach the use of a receipt message.

Molloy teaches each of the specific and separate phases has the option to wait on completion of a transaction and receipt of a message of external information prior to completion of the computations or the target phase computations, and is capable of identifying the receipt message corresponding to the asynchronous transaction (Fig 3d element 378; Fig 3b, elements 310-322; col. 7 lines 30-60; col. 8 lines 7-10; col. 8 lines 46-52, col. 8 lines 60-67).

6. It would have been obvious to one skilled in the art at the time of the invention was made to combine the teachings of Molly and Dolin because Molly's use of a transaction receipt would improve Dolin's system by being able to keep track of the completion of each transaction.
7. As per claim 2, Molloy teaches a method further comprising the step of notifying the cooperating source phases of completion of the target phase computations,

wherein, upon notification, the cooperating source phases perform further tasks (Fig 3d element 378, col. 8 lines 46-52, col. 8 lines 60-67).

8. As per claim 3, Molloy teaches a method wherein the cooperating source phases receiving the notification and the at least one target phase sends the notification (col. 8 lines 46-52, col. 8 lines 60-67).
9. As per claim 4, Molloy teaches a method, wherein respective cooperating source phases are dependent on respective target phases of the at least one target phase, and performs the computations after completion of each target phase computation associated with a respective cooperating source phase (col. 12 lines 4-10, col. 8 lines 46-52, col. 8 lines 60-67).
10. As per claim 5, Dolin teaches a method further comprising the step of receiving timed notification for termination for any pending asynchronous transaction (col. 3 lines 22-26).
11. As per claim 6, Dolin teaches a method wherein, upon the timed notification, the cooperating source phases perform further tasks (col. 3 lines 22-26).
12. As per claim 7, Dolin teaches a method further comprising the step of receiving timed notification for termination of the each cooperating source phase (col. 3 lines 22-26).

13. As per claim 8, Molloy teaches a method further comprising the step of providing event listeners associated with the at least one target phase or the cooperating source phases, the event listeners providing selected ones of the at least one target phase and the cooperating source phases with external event-driven information such that the selected ones of the cooperating source phases and the at least one target phase respond to changes associated with the external event-driven information (col. 7 lines 35-50)
14. As per claim 9, Molloy teaches a method, further comprising the steps of sending an external request by a target phase of the at least one target phase; and routing a message in response to the request via the event listener to the at least one target phase (Fig 3d element 378, col. 8 lines 46-52, col. 8 lines 60-67, col. 7 lines 35-50).
15. As per claim 10, Molloy teaches a method wherein the message is first routed via a dispatcher to a planning coordinator (col. 7 lines 3-8).
16. As per claim 11, Molloy teaches a method wherein the message includes planning address information that identities (i) the planning coordinator, (ii) phase and (iii) event listener for routing the message (col. 7 lines 3-8, col. 8 lines 46-52, col. 8 lines 60-67).

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17. As per claim 12, Dolin teaches a method wherein the each cooperating source phase and each of the at least one target phases executes independently of each other (col. 8 lines 30-33)
18. As per claim 13, Dolin teaches a method further comprising the step of retracting one of the at least one target phases (col. 8 lines 30-33, col. 7 lines 3-8, col. 8 lines 46-52, col. 8 lines 60-67).
19. Claim 14 is rejected based on the same rejection as claim 1 above.
20. As per claim 15, Dolin teaches a system further comprising means for routing the message of external information to one of the cooperating source phases or one or more of the at least one target phases (col. 7 lines 3-8, col. 8 lines 46-52, col. 8 lines 60-67).
21. As per claim 16, Dolin teaches a system wherein the means for routing includes:  
a dispatcher at least one router, the dispatcher providing the message of external information to a predetermined one of the at least one router based on message information associated with the message the of external information(col. 7 lines 35-50, col. 21 lines 45-48, col. 22 lines 33-44);  
at least one planning coordinator, the predetermined router providing the message of external information to a predetermined one of the at least one planning coordinator based on the message information associated with the message of

external information, wherein the predetermined planning coordinator provides the message of external information to an event listener associated with one of the cooperating source phases or the at least one target source form completion (col. 7 lines 3-8, col. 8 lines 46-52, col. 8 lines 60-67).

22. Claim 17 is rejected based on the same rejection as claim 1 above.

***Response to Arguments***

23. Applicant's arguments filed 12/08/2004 have been fully considered but they are not persuasive.

a. Applicant states a) Dolin is not related to software framework planning b) Dolin does not teach the use of a source target relationship c) Molloy does not teach the use of a receipt message prior to completion of computations.

b. As to point a) Dolin's invention is related to the art of software framework planning. Dolin states "it is an object of the present inventions to provide simplified installation and network maintenance" (col.4 lines 21-32). Further, Dolins states the invention is use to optimize performance. As to point b) Dolin teaches the use of a source target relationship (col. 4 lines 39-50; col. 18 lines 20-26; col. 18 lines 52-60; col. 22 lines 30-45; col. 57 lines 37-67). As to point c) Molloy teaches the use of receipt message prior to completion (Fig 3d element 378; Fig 3b, elements 310-322; col. 7



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lines 30-60; col. 8 lines 7-10; col. 8 lines 46-52, col. 8 lines 60-67). In figure 3B element 310 work is request and in element 316 resources are added and notified (element 318) then in element 322 the work is performed.

### ***Conclusion***

**24. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nilesh Shah whose telephone number is (571)272-3771. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571)272-3756. The fax

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phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nilesh Shah  
Examiner  
Art Unit 2195

NS  
March 23, 2005

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